



Docket No.: PF-0232-1 DIV  
Response Under 37 C.F.R. 1.116 - Expedited Procedure  
Examining Group 1647

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 15, 2003.  
By: (Signature) Printed: Katherine Stofer

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: LaBrie et al.

Title: HUMAN TUBBY HOMOLOG

Serial No.: 09/782,390 Filing Date: February 12, 2001

Examiner: Spector, L. Group Art Unit: 1647

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Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision dated May 15, 2003, of the Examiner's rejection of Claim(s) 1, 2, 16, and 17.

Please charge the Appeal fee of \$320.00 required under 37 CFR 1.17(b) to Deposit Account No. **09-0108**. The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayments to Deposit Account No. **09-0108**.

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Respectfully submitted,

INCYTE CORPORATION

Date: 15, September 2003

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